

CHAPTER: IV <b>APPLICATION</b>	SECTION: 13 <b>DECISION NOTICES</b>	COMAR: <b>07.03.03.05</b>
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## REQUIREMENTS

- A. Send a written notice when the application is:
  1. Approved for payment, or
  2. Denied
- B. If approved for payment, the notice must include the:
  1. Amount of the initial benefit
  2. Amount of the on-going benefit
  3. Income which is considered to calculate the benefit
  4. Months in the eligibility period
  5. Right to request a Administrative hearing about the decision or amount of the benefit
  6. An additional 4 lines of free form text
- C. If the case is denied, the notice must include the:
  1. Reason for the action
  2. COMAR citation to support the action
  3. Right to request a Administrative hearing to appeal the decision
  4. An additional 4 lines of free form text

**Note:** At application, a case may be denied for the month of application and approved for the following month or visa versa. Both the approval and denial notification are incorporated into a single notice.

- D. Follow the same notice requirements for all subsequent case actions
  1. When the benefit level increases, use case approval requirements
  2. When the benefit level decreases, follow the rules for both approvals and denials, including the:
    - Amount of the new benefit
    - Reason for the action
    - Income that is used to calculate the benefit

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- COMAR citation that supports the action
  - Months in the certification period
  - Effective date of the new benefit
  - Right to appeal the decision and request a fair hearing
3. When benefits terminate, use the denial notice requirements as stated in Requirement C. 1-3 above.
- Include the effective date of the action

## EXAMPLES

Example 1. The Smiths applied on April 27 and are eligible for a prorated grant in April and a full month benefit in May. The notice includes:

- The April benefit amount, prorated from April 27
- COMAR 07.03.03.05 is the citation for the decision for April
- The May benefit amount
- The certification period of April – September
- The income section will be blank, reflecting no income
- The right to appeal

Example 2. The Jones applied on May 2 and are ineligible for May because of earned income, but are eligible for a partial benefit beginning in June. The notice includes:

- The May denial because of overscale earnings – COMAR 07.03.03.12
- Income used in May's calculation
- The benefit for June and subsequent months with countable earnings – COMAR 07.03.03.12
- Income used in June's calculations
- The certification period of June – November
- The right to appeal both May and June decisions

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Example 3. The Gordon's application of July 10<sup>th</sup> was denied on August 9<sup>th</sup> because Ms. Gordon did not complete her job search requirements. The notice includes:

- The reason – failure to complete job search during the application process
- The COMAR to support the decision – 07.03.03.04

#### **ADDITIONAL INFORMATION**

- Application - Decisions
- Application - Payment Date
- Recertification - Recertification
- Interim Change – Interim Change